

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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PACIFIC LIFE INSURANCE COMPANY, <i>et al.</i> ,	:	Case No. 16-cv-00555 (PGG)
	:	
Plaintiffs,	:	Hon. Paul G. Gardephe
	:	
v.	:	ECF CASE
	:	
U.S. BANK NATIONAL ASSOCIATION, <i>et al.</i>	:	
	:	
Defendants.	:	
	:	
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**NOTICE OF U.S. BANK NATIONAL ASSOCIATION'S  
MOTION TO DISMISS PLAINTIFFS' AMENDED COMPLAINT**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in Support of U.S. Bank National Association's Motion to Dismiss Plaintiffs' Amended Complaint, Declaration of David F. Adler in Support of U.S. Bank National Association's Motion to Dismiss Plaintiffs' Amended Complaint, and all prior proceedings and matters of record in this case, Defendant U.S. Bank National Association, by and through its undersigned counsel, will move the Court before the Honorable Paul G. Gardephe, United States District Judge, Southern District of New York, at the Thurgood Marshall United States Courthouse, 40 Foley Square, New York, New York 10007, Courtroom 705, at a date and time to be determined by the Court, for an order pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure dismissing the Complaint filed by Plaintiffs Pacific Life Insurance Company and Pacific Life & Annuity

Company, and granting such other and further relief as the Court deems just and proper under the circumstances. Oral argument is requested.

PLEASE TAKE FURTHER NOTICE that, pursuant to the Stipulation and Order entered December 26, 2017 (ECF No. 120), any opposing papers shall be served by April 17, 2018, and any reply papers shall be served by May 15, 2018.<sup>1</sup>

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<sup>1</sup> With Plaintiffs' consent, Defendants are serving their respective briefs on February 20, 2018, rather than February 19, 2018, because February 19, 2018 was a legal holiday. Accordingly, the deadlines for service of the opposing and reply papers are calculated from February 20, 2018, rather than February 19, 2018.

Dated: February 20, 2018

Respectfully submitted,



JONES DAY

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**CERTIFICATE OF SERVICE**

I, David F. Adler, certify that on February 20, 2018, I caused the foregoing Notice of U.S. Bank National Association's Motion to Dismiss Plaintiffs' Amended Complaint to be served upon the following via electronic mail:

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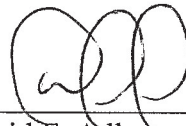
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*Attorneys for Defendant Bank of America, N.A.*

A handwritten signature in black ink, appearing to be 'D. Adler', written over a horizontal line.

David F. Adler